

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DR. JENNY H. CONVISER and
ASCEND CONSULTATION IN
HEALTH CARE, LLC,

Plaintiffs,

V.

DEPAUL UNIVERSITY,

Defendant.

Case No.: 20-cv-03094

Honorable Franklin U. Valderrama

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO ANSWER SECOND AMENDED COMPLAINT**

Defendant DePaul University (“DePaul” or “Defendant”), by and through counsel, respectfully moves this Court for an Order extending the time for Defendant to file its Answer to Plaintiffs’ Second Amended Complaint. In support of this motion, Defendant states as follows:

1. On June 23, 2020, Plaintiffs filed a First Amended Complaint. (Dkt. No. 19).
2. On July 23, 2020, Defendant filed a Motion to Dismiss the First Amended Complaint. (Dkt. No. 23). On March 31, 2021, the Court granted Defendant's Motion to Dismiss. (Dkt. No. 37).
3. On May 24, 2021, Plaintiffs filed a Second Amended Complaint. (Dkt. No. 47).
4. On June 7, 2021, Defendant filed a Motion to Dismiss the Second Amended Complaint. (Dkt. No. 48).
5. On January 9, 2023, the Court granted in part and denied in part Defendant's Motion to Dismiss the Second Amended Complaint. (Dkt. 64).

6. On January 12, 2023, Defendant moved for an extension of time to answer the Second Amended Complaint. (Dkt. 66). On January 13, 2023, the Court granted the motion for extension of time, directing Defendant to file its answer on February 22, 2023. (Dkt. 68).

7. On January 19, 2023, Defendant filed a Motion for Certification of an Interlocutory Appeal and to Stay Proceedings (the “Motion”). (Dkt. 70).

8. The Court ordered Plaintiff to respond to Defendant’s motion by February 13, 2023 and Defendant to file its reply by February 27, 2023. (Dkt. 72).

9. Defendant requests an order that, should the Court deny its Motion, it file its Answer to Plaintiffs’ Second Amended Complaint within twenty (20) days of the Court’s ruling on the Motion. Should the Court grant the Motion, the proceedings would be stayed until further order of the Court. Defendant seeks this requested extension of time for efficiency and to avoid wasting judicial resources. Specifically, Defendant seeks this extension to allow time for the parties to brief Defendant’s request for certification of interlocutory appeal and to stay proceedings and the Court to issue an order on the motion prior to Defendant’s filing of an Answer.

10. The motion is filed for good cause, and not for delay or any improper purpose.

11. The undersigned counsel conferred with Plaintiffs’ counsel on February 2, 2023, who stated they do not object to this motion.

Accordingly, Defendant respectfully requests that the Court order that, should the Court deny Defendant’s Motion for Certification of an Interlocutory Appeal and to Stay Proceedings, Defendant file its Answer within twenty (20) days of the Court’s ruling. Should the Court grant Defendant’s Motion for Certification of an Interlocutory Appeal and to Stay Proceedings, the proceedings will be stayed until further order of the Court.

Date: February 3, 2023

Respectfully submitted,

DePaul University

By: /s/ Christina Egan

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 3, 2023, I electronically filed the foregoing ***Motion for Extension of Time to Answer Second Amended Complaint*** with the Clerk of the Court by using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Christina Egan
One of Defendant's Attorneys